

MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
APRIL 1, 2003  
7:00 P.M.

**ROLLCALL** Answering rollcall were Members Housh, Hovland, Masica and Mayor Maetzold. Member Kelly was absent.

**BOY SCOUT ACKNOWLEDGED** Mayor Maetzold acknowledged David Spragg, a Boy Scout from Washburn High School, who was in attendance working on his "Citizenship In the Community" Merit Badge. Mr. Spragg thanked the Council for allowing him to attend the meeting and complimented Edina for being a great City.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Hovland and seconded by Member Masica approving the Council Consent Agenda as presented with the exception of Agenda Item III.B. Public Safety 800 MHz Radio System Microwave Link; Agenda Item IV. F. Property Auction Contract; and IV.G. Public Health Preparedness Agreement with Bloomington.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**\*MINUTES OF THE REGULAR MEETING OF MARCH 18, 2003, APPROVED** Motion made by Member Hovland and seconded by Member Masica, approving the Minutes of the Regular Meeting of the Edina City Council for March 18, 2003.

Motion carried on rollcall vote – four ayes.

**\*HEARING DATE SET OF APRIL 15, 2003, FOR PLANNING MATTERS** Motion made by Member Hovland and seconded by Member Masica setting April 15, 2003, as hearing date for the planning matters as follows:

1. Preliminary Rezoning – Madison Marquette, 3100 West 66<sup>th</sup> Street
2. Preliminary Plat – Two-Lot Subdivision – Salvador Mendoza (5117 Ridge Road)

Motion carried on rollcall vote – four ayes.

**\*BID AWARDED FOR COMMODITIES PURCHASE FOR PUBLIC WORKS** Motion made by Member Hovland and seconded by Member Masica approving the award of bid for sand, rock, bituminous materials, concrete, engine oil and water treatment chemicals for period April 1, 2003, to March 31, 2004, to recommended low bidders as follows: Coarse Sand (delivered) to SA-AG at \$5.35 per ton; CL. 2 Limestone (delivered) to Edward Kraemer & Sons at \$9.44 per ton; FA-2 Seal Coat Chips (delivered) to Dresser Trap Rock at \$25.60 per ton; \*Asphalt 2331 Base type 31 or 32 (picked up at plant) at \$25.50 per ton to Bituminous Roadways (alternate); \*Asphalt 2331 Base type 31 or 32 (delivered) at \$30.50 per ton to Midwest Asphalt; \*Asphalt 2331 Base type 31 or 32 (picked up at plant) at \$26.50 per ton to Midwest Asphalt; \*Asphalt 2331 Base type 41 or 42 (picked up at plant) to Bituminous Roadways (alternate) at \$27.00 per ton to Bituminous Roadways; \*Asphalt 2331 Base type 41 or 42 (delivered) at \$32.30 per ton to Midwest Asphalt; \*Asphalt 2331 Base type 41 or 42 (picked up) at \$28.30 per ton to Midwest Asphalt; \*Asphalt 2331 Wear type 41 or 42 (picked up at plant) at \$26.00 per ton to Bituminous Roadway (alternate); \*Asphalt 2331 Wear type 41 or 42 (delivered) at \$31.25 to Midwest Asphalt; \*Asphalt 2331 Wear type 41 or 42 (picked up) at \$27.25 per ton to Midwest Asphalt; \*Asphalt 2331 Wear type 31 or 32

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(picked up at plant) at \$27.00 per ton to Bituminous Roadways (alternate); \*Asphalt 2331 Wear type 31 or 32 (delivered) at \$32.00 per ton to Midwest Asphalt; \*Asphalt 2331 Wear type 31 or 32 (picked up) at \$28.00 per ton to Midwest Asphalt; Concrete (3+ yards) (delivered) at \$77.15 per cubic yard to Agg. Ind./Eagan; Emulsified Asphalt CRS2 at \$0.7745 per gallon to Koch Materials Co.; Emulsified Tack Oil at \$0.8895 per gallon to Koch Materials Co.; Rubberized Crack Filler at \$7.350 per pound to Brock White; Manhole Covers (3 products) to Ess Brothers & Sons, Inc. at \$576.00 each; Engine Oil 15/40 to Kath Fuel Oil Service at \$3.00 per gallon; Engine Oil 5W/30 to Kath Fuel Oil Service at \$3.00 per gallon; Red Ball Aggregate to Bryan Rock at \$14.17 per ton; Lannon Stone Wall Repair to Bjork Stone at \$14.00 per square foot; Water Treatment Additives to D.P.C. Industries, Inc., at \$49.65 per gallon; Caustic Soda to Hawkins, Inc., at \$41.10 per CWT. (\*These items are awarded on basis of total cost per ton including trucking and labor, and past year's performance.)

Motion carried on rollcall vote – four ayes.

### BID AWARDED FOR PUBLIC SAFETY 800 MHz RADIO SYSTEM MICROWAVE LINK

Member Housh removed the 800 MHz Radio System Microwave Link from the Consent Agenda for further information. He asked why there was only one bid for the system.

Chief Siitari explained the system must match up with the Hennepin County System that was already in place in order to communicate between law enforcement agencies. He also noted that the purchase was through the Hennepin County Cooperative Purchasing Agreement, therefore, Hennepin County had already gone through the process of taking the sealed bids.

**Member Masica made a motion for award of bid for Public Safety 800 MHz Radio System Microwave Link to recommended bidder, Harris Corporation/Microwave Link under Hennepin County Cooperative Agreement #1207A3, at \$171,340.00.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

### BID AWARDED FOR FRED RICHARDS GOLF COURSE MAINTENANCE BUILDING

Director Keprios indicated bids were opened for construction of a replacement maintenance building for the Fred Richards Golf Course on March 11, 2003. Sixteen very competitive bids were received. Mr. Keprios explained the existing building was undersized, considered a health/safety hazard due to inadequate ventilation, and had questionable structural integrity. He said the new facility would have a waste trap in the floor to collect dangerous flammables in case of spills, would house expensive maintenance equipment, have a unisex bathroom and break room, and have an eyewash station that was required by code. Mr. Keprios expressed concern that not enough funds had been budgeted with \$170,000.00. He said that during the design process, code requirements drove the price beyond the budgeted amount, but did not increase the square footage of the building. Mr. Keprios explained funding would come from the current bond proceeds earmarked for the purchase of the driving range automation system in 2004. He stated if 2003 were a good year, the driving range automation system would still be installed in 2004. However, staff felt the maintenance building was a higher priority. Mr. Keprios said staff will remove the old building and noted the new building would be occupied no later than August 30, 2003. He added that staff recommended approval of the award of bid.

Member Hovland asked how the building exterior would look and what was the cost of Alternate #2, the scissors maintenance platform. Mr. Keprios responded the building exterior would be stucco with windows to match the existing buildings and that the maintenance platform cost was \$7,600.00.

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Member Housh asked if staff could possibly use the facilities in the existing clubhouse instead of building a break room/locker area. He asked if this portion of the plan were eliminated would the building meet budget. Mr. Keprios said the room would have a small table for lunch breaks as well as a few lockers and a bathroom for the maintenance staff. He responded yes staff could use the clubhouse facilities. Mr. Keprios commented if only a 'shell' building were built, some deduction in costs would be realized. Member Housh asked the building could be re-bid with a deduct amount. Mr. Hughes said the bid could be awarded as bid then a change order negotiated with the low bidder to leave a portion of the building unfinished. The only other way would be to re-design and re-bid the project, which would incur additional expenses.

Member Masica questioned if the projected \$170,000 contained the maintenance platform. Mr. Valliere said add alternate #2 was added later. Member Masica inquired whether the code requirements were new requirements. Mr. Keprios explained that staff did not hire architects to cost out the facility.

Member Housh voiced concern that during a tight budget year monies might need to be taken from another source in order to build the building. Mr. Valliere said he takes responsibility for the building being based on a cold-storage type of building, without rest rooms, etc. He commented further that the code changes incorporating the air exchange and the proposed changes in building use, escalated costs. Mr. Valliere stated that the Executive Course at Braemar Golf Course was open, three weeks earlier than normal and has been busy.

Mr. Hughes reminded the Council that the driving range automation system was proposed for 2004, and nothing has been delayed with the system. He stated that the funding source for the project would come from the facility's revenues.

Member Hovland asked why the size of the proposed building was nearly three times larger than the existing building. Mr. Valliere said more space would be necessary to store maintenance equipment that currently was being driven on the highway between the two golf courses; and to meet code changes such as air quality. He added that it seemed prudent to build a building that would meet the needs of the course for several years into the future.

**Member Housh made a motion for award of bid for the Fred Richards Golf Course Maintenance Building, including add alternate No. 2, scissors maintenance platform lift, to recommended low bidder, J.S. Cates Construction Company, Inc., at \$250,600.00. Member Hovland seconded the motion.**

Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**\*AWARD OF BID FOR BRAEMAR GOLF COURSE IRRIGATION MAINTENANCE COMPUTER Motion made by Member Hovland and seconded by Member Masica for award of bid for computer hardware and software for Braemar Golf Course Automated Irrigation System to sole supplier, MTI Distributing, at \$18,778.00.**

Motion carried on rollcall vote – four ayes.

**PUBLIC HEARING TEMPORARY ON-SALE INTOXICATING LICENSE FOR 50<sup>TH</sup> & FRANCE BUSINESS ASSOCIATION APPROVED; SPECIAL PERMIT TO USE CITY PROPERTY CONTINUED TO MEETING OF APRIL 15, 2003** Affidavits of Notice were presented, approved and ordered placed on file

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Mr. Siitari explained the 50<sup>th</sup> & France Business Association applied for a Temporary On-Sale Liquor License and a Special Permit to Use City Property. The license and permit would allow the Association to sell wine and beer from the parking lot of the Edina 5-0 Shopping Center during the Edina Art Fair. Mr. Siitari stated the Association submitted the necessary paperwork and paid their fees. He noted that background check on the Association and its officers show they would be eligible for the liquor license. Mr. Siitari stated the submitted plan addresses basic safety and traffic issues. The Association proposed to have the "beer garden" separated by a physical barrier separating the "licensed premises" from other areas. This would also allow for controlled access. Mr. Siitari recommended that the Council require the Association designate a manager to directly supervise alcohol sales as provided by City Code Section 900.13 subdivision 3, to ensure one contact person responsible for liquor operations during the planning and operational phases of the Art Fair. Mr. Siitari also stated he felt the Association should be required to show in greater detail exactly what the proposed signs for the "licensed" premises.

Member Masica asked what the Association had proposed to use as a barricade and she stated she wanted to see more detail on signage before granting the requested permits. Colleen Jones, Executive Director of the 50<sup>th</sup> & France Association, explained she planned on using a barricade that looked like a picket fence and was about four feet tall. She noted that the Association had also thought to run "beer pennants" along the top of the fence. Ms. Jones explained that most likely the beer truck would have logos on the sides. However, at this time the final proposed signs have not been developed. Member Masica expressed concern that the barricade be adequate to prevent people from going over it.

Member Hovland said he did not want to approve the permit until he knew the exact design (graphic mock-up) location and size of all signage proposed for the site. He also asked what the proposed capacity of the beer garden would be.

Member Housh and Mayor Maetzold both expressed concern over signage and indicated their desire to see more detail, including the dimensions, location, graphics and wording on all proposed signage.

Member Masica added that this would be the first year that Edina would be issuing a temporary intoxicating license and special permit for use of City property. Therefore, she said the Council intended to be very cautious in the layout, signage, security and operation of the "beer garden". Member Masica stated that in her opinion any fencing should be at least six feet in height.

Member Housh asked Chief Siitari about the proposed security. Mr. Siitari responded that he felt there should be a minimum of two officers to maintain that the barricade had not been breeched. He said the officers should not be checking ID's that should be a function of the security personnel not the Edina Police Department. Ms. Jones indicated her desire to have the officers (at the expense of the 50<sup>th</sup> & France Association) check ID's.

Mayor Maetzold stated it seemed that a greater level of detail on what exactly was being proposed by the Association was needed before any permits were issued. Mr. Hughes stated he believed the liquor license could be granted, but the special permit should wait until further detail was received. He advised if the temporary liquor license were issued it be conditioned that it specify "Beer and Wine" only. In addition, before issuing the Permit for use of City property greater details would need to be submitted by the Association including:

- Exact location, dimension, graphics and wording of signs proposed for the "licensed premises"-include in this list the beer truck's logos;

- Dimensions, materials and placement of “barricade fencing” to be used to separate “licensed premises” from the remainder of the 5-0 Parking lot;
- Proposed capacity of “licensed premises”
- Security Plan in detail (including but not limited to number and placement of personnel); and
- Determination of access points to the “licensed premises”.

Mr. Hughes stated he agreed with Mr. Siitari regarding use of City officers to check ID.

Public Comment

Ann Wessels, 5228 Evanswood Lane, explained she was a Board Member of the 50<sup>th</sup> & France Business Association. Ms. Wessels thanked the Council for allowing the Association the opportunity to hold their “beer garden” on the Edina side of the Art Fair. She acknowledged Council’s concerns relative to fencing, and ID checks. Ms. Wessels said she would favor having ID’s checked both at the door and the counter. Ms. Wessels stated the Association would be happy to provide the security as required by the City. However, she asked for assistance figuring the capacity of the proposed “beer garden”. Mayor Maetzold told her to talk to staff who he was sure could assist the Association with the capacity question.

Jennifer Moquist, 5231 Interlachen, stated she was one of the business owners in an office that will overlook the proposed “beer garden”. Ms. Moquist stated in her opinion this additional amenity would only enhance Edina Art Fair attendees’ experience.

**Member Hovland made a motion seconded by Member Housh to close the public hearing.**

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**Member Masica made a motion to grant the temporary on-sale intoxicating liquor license to the 50<sup>th</sup> & France Business Association for the Edina Art Fair for the period from May 30, 2003, through June 1, 200, with the condition that alcohol sales be limited to strong beer and wine. Further the consideration of the Special Permit to use City property shall be continued until April 15, 2003 to allow the applicant to address the following concerns:**

- Exact location, dimension, graphics and wording of signs proposed for the “licensed premises” include in this list the beer truck's logos;
- Dimensions, materials and placement of “barricade fencing” to be used to separate “licensed premises” from the remainder of the 5-0 Parking lot;
- Proposed capacity of “licensed premises”
- Security Plan in detail (including but not limited to number and placement of personnel); and
- Determination of access points to the “licensed premises”.

Member Hovland seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried

**DANCE PERMIT APPROVED FOR TWO GUYS FROM ITALY/CLUB ASHE** Mr. Siitari explained that Two Guys From Italy, 7495 France Avenue, has had a dance permit since December 2000. Two Guys From Italy has operated as the dance club, Ashe II, on Thursday through Saturday nights. Mr. Siitari stated the last time Two Guys From Italy dance permit was renewed it was for a six-month period because of calls for service preceding that renewal. He noted that during the past six months, police officers working the evening shifts have reported no problems related to public health or safety at Ashe II. Mr. Siitari recommended the permit be renewed for one year, based on the lack of problems in 2002.

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**Member Hovland made a motion approving renewal of the dance permit for Two Guys from Italy, Club Ashe II, for the period of one year.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**\*2003 LABOR AGREEMENT APPROVED FOR LOCAL 320 (POLICE OFFICERS)** Motion made by Member Hovland and seconded by Member Masica approving the 2003 Labor Contract with Local 320 Patrol Officers as follows:

1. Wages - 3% increase
2. Insurance - \$40 per month increase of City contribution.

Motion carried on rollcall vote - four ayes.

**\*2003 LABOR CONTRACT WITH LOCAL 320 APPROVED (ANIMAL CONTROL AND COMMUNITY SERVICE OFFICERS)** Motion made by Member Hovland and seconded by Member Masica approving the 2003 Labor Contract with Local 320 for Animal Control and Community Service Officers as follows:

1. Wages - 3% increase
2. Insurance - \$40 per month increase of City contribution.

Motion carried on rollcall vote - four ayes.

**\*2003 LABOR CONTRACT WITH LOCAL 320 APPROVED (PUBLIC SAFETY DISPATCHERS)** Motion made by Member Hovland and seconded by Member Masica approving the 2003 Labor Contract with Local 320 for the Public Safety Dispatchers as follows:

1. Wages - 5% increase because the City's dispatchers had fallen considerably behind other dispatchers in the metropolitan area; and
2. Insurance - \$40 per month increase of City contribution.

Motion carried on rollcall vote - four ayes.

**PROPERTY AUCTION CONTRACT APPROVED** Member Housh asked that the Property Auction Contract be removed from the Consent Agenda for further information. He inquired if he read correctly that unclaimed property was eligible for disposal after 60 days. Mr. Siitari responded that was correct. Member Housh asked if the City were to have a property auction, could enough funds be generated to make it worthwhile. Mr. Siitari said the property was mostly junk, e.g. abandoned and trashed bicycles, with little or no value. He stated that in the past, the profit from a City run auction has been minimal at best. Mr. Siitari recommended approving the contract between the Edina Police Department and Anoka Big Lake Auctions.

Member Masica asked if any profit would be realized from contracting with Anoka Big Lake Auctions. Mr. Siitari said because an auction has not been held recently, there may be a small profit realized.

**Member Housh made a motion approving the contract between the Edina Police Department and Anoka Big Lake Auctions for disposal of unclaimed property from the Police Department property room.** Member Hovland seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**PUBLIC HEALTH PREPAREDNESS AGREEMENT WITH BLOOMINGTON APPROVED**

Member Masica indicated she removed the Public Health Preparedness Agreement with Bloomington for further information. She questioned if the remainder of the federal funding was

allocated to any specific purpose. Sanitarian Velde responded that the remainder of the funding would help defray costs when staff was working on items related to Public Health Emergencies. Member Masica asked if additional funds would be forthcoming in August. Mr. Velde said yes. Member Masica inquired if all the funds were not used, could they be utilized elsewhere. Mr. Velde responded when the budget was adopted, the costs were a part of that budget. Funds charged back against the federal fund would be a plus for the City.

Member Housh voiced concern that during Phase I, only five people received the smallpox vaccination. Mr. Velde explained Phase I vaccinations were for persons caring for smallpox victims or public health personnel administering the vaccinations. He said that 70 persons in the west metro area have been vaccinated, and state-wide, approximately 1400 have been vaccinated.

**Member Hovland made a motion approving the award of the Public Health Preparedness Contract to Bloomington Public Health for period of July 6, 2002, through August 31, 2003, at a total contract cost of \$29,805.00. Member Housh seconded the motion.**

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

**\*RESOLUTION NO. 2003-33, SETTING FOR MAY 20, 2003, FOR A PUBLIC HEARING FOR CONSIDERATION OF VACATION OF STREET RIGHT-OF-WAY (XERXES AVENUE BETWEEN WEST 66<sup>TH</sup> STREET AND YORK AVENUE)** Member Hovland introduced the following resolution, seconded by Member Masica and moved its approval:

**RESOLUTION NO. 2003-33**

**CALLING FOR PUBLIC HEARING ON VACATION**

**PUBLIC RIGHT-OF-WAY**

**BE IT RESOLVED** by the City Council of the City of Edina as follows:

1. It is hereby found and determined that the following described property should be considered for vacation in accordance with the provisions of Minnesota Statutes, Section 160.29 and 462.348, Subd. 7:
2. This Council shall meet at 7:00 P.M. on the 20<sup>th</sup> day of May 2003, for the purpose of holding a public hearing on whether such vacation shall be made in the interest of the public.
3. The City Clerk is authorized and directed to cause notice of said hearing to be published once a week for two weeks in the Edina Sun-Current, the official newspaper of the City, to post such notice, in at least three public and conspicuous places, as provided in Minnesota Statutes. Such notice shall be in substantially the following form:

(Official Publication)

CITY OF EDINA

4801 WEST 50<sup>TH</sup> STREET

EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON

VACATION OF UTILITY EASEMENTS

IN THE CITY OF EDINA

HENNEPIN COUNTY MINNESOTA

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Edina, Minnesota will meet on May 20, 2003, at 7:00 P.M. in the Council Chambers at 4801 West 50th Street for a public right-of-way easements to be vacated:

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CITY OF EDINA XERXES AVENUE SOUTH VACATION PARCEL:

That part of Lot 5, "Cassin's Outlots", according to the recorded plat thereof and situated in Hennepin County, Minnesota described as follows:

Commencing at the point of termination of Line 1 hereinafter described; thence northerly along said Line 1 a distance of 232.20 feet; thence deflecting 47 degrees 30 minutes to the right and running northeasterly along a line hereinafter referred to as Line 2, a distance of 164.00 feet to the point of beginning of the parcel to be described; thence along a tangential curve, concave to the south, having a radius of 7.05 feet (delta angle = 121 degrees 58 minutes 14 seconds) for a distance of 15.01 feet; thence southerly along a reverse curve, concave to the northeast, having a radius of 627.00 feet (delta angle = 8 degrees 51 minutes 45 seconds) for a distance of 96.98; thence southerly along a reverse curve, concave to the west, having a radius of 380.58 feet for a distance of 129.20 feet, more or less, to a point on a line drawn parallel with and 40.00 feet westerly of the east line of said Lot 5; thence southerly parallel with said east line of Lot 5 a distance of 30.26 feet; thence along a tangential curve, concave to the northwest, having a radius of 25.00 feet for a distance of 39.49 feet, more or less, to a point on a line drawn parallel with and 65.00 feet northerly of the south line of said Lot 5; thence easterly parallel with said south line of Lot 5 to an intersection with the east line of said Lot 5; thence northerly along said east line of Lot 5 to an intersection with the northeasterly extension of said Line 2; thence southwesterly along said northeasterly extension of Line 2 to the actual point of beginning.

**Line 1:**

Beginning at a point on the north line of said Lot 5, distant 221.10 feet west of the northeast corner of said Lot 5; thence southerly to a point on the south line of said Lot 5, distant 219.10 feet west of the southeast corner of Lot 5 and there terminating.

Containing 20,196 square feet more or less.

All persons who desire to be heard with respect to the question of whether or not the above proposed street right of way and utility and drainage vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

Passed and adopted this 1<sup>st</sup> day of April 2003.

Motion carried on rollcall vote – four ayes.

EXTENSION OF RESIDENTIAL RECYCLING COLLECTION CONTRACT WITH BFI APPROVED

Manager Hughes explained the City was now in the last year of a three-year contract with Browning Ferris Industries (BFI) for collection of residential recyclables. He report the current the rate for recycling collection was \$2.22 for single family homes and duplexes; and \$2.02 for multi-units (up to eight units). Mr. Hughes explained that BFI has presented a proposal to extend the contract for one year and possibly extending the contract for two-years, if approved. Mr. Hughes noted due to the current state budget issues and uncertainty of grant funding for the



recycling program, the Edina Recycling and Solid Waste Commission has recommended accepting the one-year extension.

Mr. Hughes said the Edina Recycling and Solid Waste Commission recommended extending the contract with BFI of MN for recycling collection through 2004. The monthly rates would be:

Single family and duplex	\$2.28 per unit
Multi-unit	\$2.08 per unit

He added that accommodations would be available for people who were physically unable to transport the recycling bin to the curb.

Member Masica asked for information on sorting recyclables. David Weidenfeller, Municipal and Residential Sales Manager for BFI Industries, explained said BFI prefers that paper was kept separate from glass/plastic/cans. However, Mr. Weidenfeller said BFI has the ability to sort the glass/plastic/cans in their plant.

Member Hovland inquired whether any concern has been expressed with the location of the recycling container now being brought to the curb. Mr. Velde explained there were quite a number of persons who have requested garage pickup of recyclables and BFI have been given that list of residents and were picking their recyclables up by their garages.

**Member Hovland made a motion approving the extension of the contract with Browning Ferris Industries (BFI) of MN for recycling through 2004, with the monthly contract rate for single family and duplex at \$2.28 per unit and for multi-unit buildings at \$2.08 per unit. Member Masica seconded the motion.**

Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**38<sup>TH</sup> ANNUAL BRAEMAR INSPECTION TOUR SET FOR JULY 8, 2003** Mr. Hughes indicated that the Edina City Council for the past 37 years, has extended an invitation to a number of groups to gather for an 18-hole round of golf, including a golf car, followed by a dinner and nominal golf event prizes. Staff has proposed the Council approve the 38<sup>th</sup> Annual Braemar Inspection tour for those invited guests. He said this year's event has been scheduled for Tuesday, July 8, 2003. Staff will charge a fee for the dinner attendees. The fee will be set at a level that covers the cost of all food, beverages and golf event prizes.

**Member Masica made a motion approving the 38<sup>th</sup> Annual Braemar Inspection Tour, scheduled for Tuesday, July 8, 2003, and to include an 18-hole round of golf and use of golf cars followed by dinner and golf event prizes that are covered through a user fee. Member Housh seconded the motion.**

Ayes: Housh, Hovland, Masica, Maetzold  
Motion carried.

**\*CONFIRMATION OF CLAIMS PAID** Member Hovland made a motion and Member Masica seconded the motion approving payment of the following claims as shown in detail on the Check Register dated March 20, 2003, and consisting of 37 pages: General Fund \$261,018.00; Communications Fund \$6,517.32; Working Capital Fund \$215,387.16; Construction Fund \$3,737.58; Art Center Fund \$1,080.09; Golf Dome Fund \$2,340.92; Aquatic Center Fund \$1,714.98; Golf Course Fund \$56,758.41; Ice Arena Fund \$16,094.12; Edinborough/Centennial Lakes Fund \$29,842.66; Liquor Fund \$214,072.24; Utility Fund \$588,462.80; Storm Sewer Fund \$171,950.61;

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Recycling Fund \$20.00; PSTF Agency Fund \$409,597.00; Payroll Fund \$490,000.00; TOTAL \$2,468,593.89; and for approval of payment of claims dated March 26, 2003, and consisting of 38 pages: General Fund \$916,534.63; Communications Fund \$749.76; Working Capital Fund \$13,097.65; Construction Fund \$54,217.56; Art Center Fund \$19,436.13; Golf Dome Fund \$2,759.60; Aquatic Center Fund \$1,389.66; Golf Course Fund \$55,979.50; Ice Arena Fund \$2,470.86; Edinborough/Centennial Lakes Fund \$1,614.09; Liquor Fund \$96,923.21; Utility Fund \$44,851.07; Storm Sewer Fund \$5,152.00; PSTF Agency Fund \$6,973.64; TOTAL \$1,222,149.36.

Motion carried on rollcall vote – four ayes.

**CONCERN OF RESIDENT** Addie Fitzsimmons, 5025 Yvonne Terrace, informed the Council that on March 14, 2003, the snow melt from the neighbors property over-ran their backyard swale as she had predicted. Her husband had to make a trench to the street to divert the water from their basement window wells. Ms. Fitzsimmons said she also had spring clean up from the neighbor's dog, which also ran into their yard. She concluded that these are examples of how their private property has been damaged by the private use of their neighbor.

There being no further business on the Council Agenda, Mayor Maetzold declared the meeting adjourned at 8:30 P.M.

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City Clerk